

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-10 have been withdrawn. Claims 11 and 12 have been amended. Accordingly, claims 11-17 are under consideration in the present application.

Restriction Requirement

Claims 1-10 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a non-elected invention.

Rejections under 35 U.S.C. § 103

In section 4 of the Office Action, claims 11-15 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 3,019,763 (Ferris) in view of U.S. Patent No. 6,609,477 (White). In section 5 of the Office Action, claim 16 is rejected under 35 U.S.C. §103(a) as being unpatentable over Ferris as modified by White and further in view of U.S. Patent No. 6,044,793 (van der Lely). Applicant respectfully traverses the rejections. Further, Applicant reserves the right to swear behind White as a prior art reference.

Claims 11 and 12 both recite:

a **plurality of wheeled carriages** connected to the milking parlor frame, each carriage having a carriage body and means for adjustably mounting detachable wheels to the carriage body so that the wheels can be moved up and down with respect to the carriage body.

In the Office Action, the Examiner states: “Ferris does not teach the wheels being adjustably mounted so as to raise and lower with respect to the carriage body.” However, Ferris also fails to show, teach, or suggest “plurality of wheeled carriages” where each has a *carriage body* and *adjustably mounted* detachable wheels.

The Examiner argues that White teaches “within the analogous art of animal related trailers means for adjustably mounting the wheels ... to raise and lower them.” White does teach wheels that are mounted on a trailer bed and move up and down using a hydraulic system. However, White does **not** teach a “plurality of wheeled carriages” with detachable wheels as required by Applicant’s claimed invention.

The plurality of wheeled carriages included in Applicant’s claims are used to transport the milking parlor frame (see paragraphs [0022] through [0027]). Once transported, the wheeled carriages are removed from the milking parlor frame. This aspect of the wheeled carriages is specifically described in paragraph [0026] of the present application, which states:

The carriages 60 are then detached from the modular parlor 10, leaving the modular parlor fully self-supported on the ground.

Both Ferris and White describes the use of a hydraulic system to raise and lower wheels of a trailer. The trailer of Ferris is integral to the milking house. The trailer of White is integral to the mobile cattle hospital. Neither reference even suggests a structure that is detached once transport is completed. A person of skill in the art would understand a carriage to be “a wheeled support or frame for carrying a heavy object” (see The American Heritage® Dictionary of the English Language, Fourth Edition.) The Examiner has not provided any reference that teaches or suggests “plurality of wheeled carriages”.

Clearly, Ferris and White (in combination or alone) fail to teach or suggest all of the claim limitations of claims 11-17 because they fail teach or suggest “plurality of wheeled carriages” with detachable wheels, as required by all of these claims. Accordingly, Applicant respectfully requests withdrawal of the rejection.

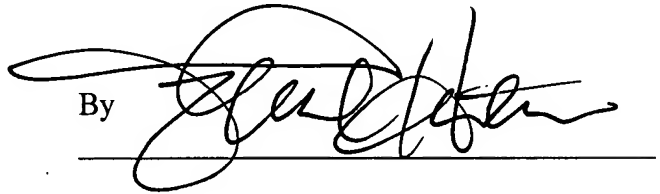
Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350.

Respectfully submitted,

By

A handwritten signature in black ink, appearing to read "Paul S. Hunter", is written over a horizontal line.

Paul S. Hunter
Attorney for Applicant
Registration No. 44,787

Date August 26, 2004

FOLEY & LARDNER LLP
Customer Number: 23524

23524

PATENT TRADEMARK OFFICE

Telephone: (608) 258-4292
Facsimile: (608) 258-4258